

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DERICK D. TUCKER,

*Plaintiff*

VS.

JOHN OR JANE DOE, 1<sup>ST</sup> SHIFT GUARDS

*Defendants*

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CIVIL ACTION NO. 4:17cv397

**ORDER OF DISMISSAL**

This civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation concluding the action pursuant to 42 U.S.C. § 1983 should be dismissed without prejudice. No objections have been filed. After reviewing the Report, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. It is therefore

**ORDERED** Plaintiff's complaint (Dkt. #1) is **DISMISSED** without prejudice. All motions not previously ruled on are hereby **DENIED**.

**SIGNED this 19th day of March, 2018.**



AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE